

**BOARD OF SUPEVISORS PROCEEDINGS**  
**October 5, 2010**

Pursuant to adjournment, the Board met with Breunig, Fauver, Kuncl, Hanson, Lutton and Karloff present. Sukstorf was excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairperson Karloff called the meeting to order at 9:00 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Public Works Director Report: 1) Reported on the activities of the Bridge Crew, Grading Crew and Culvert Crew; 2) They have re-opened (3) more bridges; 3) After the state inspection, hopefully they will be given the green light to start operating the Wind Turbine at the Broadway Building; and 4) Discussed County Road M over the dam of Lake Wanahoo and how it is working.

Motion by Breunig, seconded by Lutton to authorize the Chair to sign the Interlocal Agreement between Marble Township and Saunders County, whereby the county would perform all necessary maintenance (and snow removal) on said Township roads. With the stipulation that the agreement (showing motor grader value) the Road Department exchanging road maintenance service and the charge for said service being credited towards the purchase of Marble Township's motor grader – being attached to this Interlocal Agreement. Voting yes were Breunig, Fauver, Kuncl, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Breunig, seconded by Lutton to convene in Closed Session at 9:15 a.m., (84-1410) for legal counseling/negotiation regarding, E3 BioFuels Ethanol Plant Bankruptcy and Purchase Agreement/Stipulation – with the County Attorney, County Treasurer, Deputy County Treasurer and the State Assessment Manager for Saunders County. Voting yes were Fauver, Kuncl, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Kuncl, seconded by Hanson to adjourn from Closed Session at 9:38 a.m., with no action taken, and convene in Regular meeting. Voting yes were Kuncl, Hanson, Lutton, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Fauver, seconded by Hanson to accept the Stipulation Regarding Real Property Taxes, regarding E3 BioFuels-Mead, LLC, Case No.: 07-22733, Chapter 11, Joint Administration with 07-22734; in the United States Bankruptcy Court for the District of Kansas, Kansas City Division. Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Lutton, seconded by Breunig to convene as an Equalization Board at 9:38 a.m. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl and Hanson. Voting no were none. Motion carried.

**BOARD OF EQUALIZATION PROCEEDINGS**  
**October 5, 2010**

Pursuant to adjournment Sine Die, the Board met with Lutton, Karloff, Breunig, Fauver, Kuncl and Hanson present. Sukstorf was excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Vice Chairperson Hanson called the meeting to order at 9:39 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Motion by Karloff, seconded by Lutton to approve Tax Corrections #4723 thru #4729 (see attached). Voting yes were Karloff, Breunig, Fauver, Kuncl, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Breunig, seconded by Karloff to approve the Application for Tax Exemption on Motor Vehicles (see attached). Voting yes were Breunig, Fauver, Kuncl, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Fauver, seconded by Lutton to approve the minutes of the September 28<sup>th</sup> Board meeting. Voting yes were Fauver, Kuncl, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Vice Chairperson Hanson declared the meeting adjourned Sine Die at 9:40 a.m.

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Saunders Medical Center Report: 1) They will be conducting a 2<sup>nd</sup> interview with the top (2) finalist for the CEO position; 2) They looking to increase they different types of surgical procedures that done at the Medical Center; 3) Looking at the possibly refinancing the bonds, it has been 5 years and interest rates are currently favorable; 4) Discussed the physical therapy department and where it was currently. The CFO then presented the August Financials.

Correction Administrator report that as of today the inmate population was currently at 68 with 17 of those being Saunders County inmates and discussed why the numbers were down. They Board expressed concern with the lower inmate population.

Motion by Hanson, seconded by Fauver to approve the County's Payroll for the month of October and hereby authorize the County Treasurer to issue a check to the Saunders County Imprest Account for the full amount for all funds. Voting yes were Kuncel, Hanson, Lutton, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Breunig, seconded by Lutton to approve the application for Special Designated Liquor Licenses by Ken's Liquor Inc., Lincoln, NE for a Wedding Reception on October 23, 2010 from 4:00 p.m. to 1:00 a.m., to be held in an Ag building located at 425 County Road 14, Ceresco, NE. Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver and Kuncel. Voting no were none. Motion carried.

Motion by Kuncel, seconded by Hanson to approve the application for Addition to Liquor License Class C #88445 of Jacqueline Furasek dba Tuffy's Bar – to include an outdoor area for use as a Beer Garden; approx. 36'x21'. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncel and Hanson. Voting no were none. Motion carried.

Motion by Hanson, seconded by Lutton to approve the minutes of the September 28<sup>th</sup> Board meeting. Voting yes were Karloff, Breunig, Fauver, Kuncel, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Kuncel, seconded by Hanson to open the Public Hearing for Setting the County's Final Tax Request for Taxing Year 2010, at 10:00 a.m. Voting yes were Breunig, Fauver, Kuncel, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Lutton, seconded by Breunig to close the Public Hearing at 10:02 a.m. and adopt Resolution #30-2010 setting the County's Final Tax Request for Taxing Year 2010 as follows: General Fund .29946; Bond-Law Enforcement Center and Jail .04437; and County Building .00054 – for a total Levy of .34437. Voting yes were Fauver, Kuncel, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 10:03 a.m.

**BOARD OF SUPERVISORS PROCEEDINGS**  
**October 12, 2010**

Pursuant to adjournment, the Board met with Breunig, Fauver, Sukstorf, Hanson and Karloff present. Kuncel and Lutton were excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairperson Karloff called the meeting to order at 9:00 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Public Works Director Report: 1) the wind turbine past the State Electrical Inspection; he discussed in more detail with the Board, of how the turbine works and the energy that it creates and the savings that the County hopes to gain from the use of the turbine; 2) They harvest 976 bushels of beans from the crop that was planted on the land around the Saunders Medical Center; and 3) Randy Smeal discussed with the Board the possibility of paving a part of County Road E by Big Sandy Development.

Motion by Sukstorf, seconded by Fauver to open the Public Hearing at 9:40 a.m. regarding Application by the Saunders County Board of Supervisors to amend the Saunders County Zoning Regulations in Section 6.01.03 #20: Agricultural District Section 6.01.02 Permitted uses and structures:

#9 Single Family Dwellings provided that:

(add) b.1 There is a 1/8 mile separation maintained from the commercial sale and storage of farm chemicals, dry fertilizers, liquid fertilizer and fuels, said 1/8 mile separation can be waived when a dwelling is part of an existing operation. The 1/8 mile separation shall be from the location of the loadout facility and secondary containment as defined in the Nebraska Department of Environmental Quality Regulations Title 198.

b.2 There is a 1/2 mile separation maintained from storage and handling facility of anhydrous ammonia and bulk propane.

6.01.03 Conditional Uses

1. Single family dwellings including those dwelling associated with farming operations provided the following criteria are met:

(add) f.2 There is a 1/8 mile separation maintained from the commercial sale and storage of farm chemicals, dry fertilizers, liquid fertilizer and fuels, said 1/8 mile separation can be waived when a dwelling is part of an existing operation. The 1/8 mile separation shall be from the location of the loadout facility and secondary containment as defined in the Nebraska Department of Environmental Quality Regulations Title 198.

f.3 There is a 1/2 mile separation maintained from storage and handling facility of anhydrous ammonia and bulk propane.

(change) 20.a The commercial sale and storage of farm chemicals, dry fertilizers, liquid fertilizers and fuels, provided the location of the loadout facility and secondary containment as defined in the Nebraska Department of Environmental Quality Regulations Title 198 shall maintain a separation of 1/8 mile from the nearest residential structure; said 1/8 separation can be waived when the dwelling is part of an existing operation.

(add) 20.b The sale and storage of anhydrous ammonia and bulk propane shall maintain a 1/2 mile separation from the nearest residential structure.

Voting yes were Breunig, Fauver, Sukstorf, Hanson and Karloff. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Karloff to close the public hearing at 9:41 a.m. and adopt **Resolution #31-2010** amending the Saunders County Zoning Regulations in Section 6.01.03 #20 (see attached). Voting yes were Fauver, Sukstorf, Hanson, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Breunig, seconded by Sukstorf to approve Application for Conditional Use Permit #7109 by Brian Reid to operate a facility to store and well liquid and dry fertilizer, chemicals, seed and custom applications located on the property of Kevin Ziegenbein in Sec. 4-13-9 (Clear Creek Precinct). Zoning Dist. is Agricultural (A-1). All as per the Planning Commission. Voting yes were Sukstorf, Hanson, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Hanson, seconded by Fauver to approve the minutes of the October 5<sup>th</sup> Board meeting. Voting yes were Hanson, Breunig, Fauver and Karloff. Voting no were none. Sukstorf abstained. Motion carried.

Motion by Fauver, seconded by Hanson to approve the withdrawal of Pledged Securities (see attached). Voting yes were Karloff, Breunig, Fauver, Sukstorf and Hanson. Voting no were none. Motion carried.

Motion by Fauver, seconded by Hanson to convene as an Equalization Board at 9:52 a.m. Voting yes were Breunig, Fauver, Sukstorf, Hanson and Karloff. Voting no were none. Motion carried.

**BOARD OF EQUALIZATION PROCEEDINGS**  
**October 12, 2010**

Pursuant to adjournment Sine Die, the Board met with Hanson, Karloff, Breunig, Fauver and Sukstorf present. Lutton and Kuncel were excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairperson Sukstorf the meeting to order at 9:53 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Motion by Karloff, seconded by Fauver to levy the necessary taxes for all functions of the County and all necessary taxes to fund the requests for the subdivisions, as certified under Section 77-1601.02 that are authorized as provided in Sections 77-3342 to 77-3444, in Saunders County for the Taxing Year 2010. Voting yes were Fauver, Sukstorf, Hanson, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Hanson, seconded by Karloff to approve Tax Corrections #4730 thru #4735 (see attached). Voting yes were Sukstorf, Hanson, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Hanson, seconded by Breunig to approve the minutes of the October 5<sup>th</sup> Board meeting. Voting yes were Hanson, Karloff, Breunig and Fauver. Voting no were none. Sukstorf abstained. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Sukstorf declared the meeting adjourned Sine Die at 9:55 a.m.  
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The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 9:57 a.m.

**BOARD OF SUPEVISORS PROCEEDINGS**  
**October 19, 2010**

Pursuant to adjournment, the Board met with Breunig, Fauver, Kuncel, Hanson and Karloff present. Sukstorf and Lutton were excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairperson Karloff called the meeting to order at 9:00 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Public Works Director Report: Bridge Crew is finishing up on the fishing peers at Wanahoo; Grading Crew is working on a FEMA Project West of Memphis on County Road C between 7&9; Culvert Crew is finishing up on a FEMA Project on County Road 26 & G; the Highway Dept. received an emergency call today regarding a whole around the middle of a culvert on County Road 11 between F&G. These kind of wholes show up around this time of year.

Motion by Breunig, seconded by Kuncl to adopt **Resolution #32-2010** entering into an Agreement with the Nebraska Department of Roads for the purpose of defining responsibilities in meeting the National Bridge Inspection Standards. Voting yes were Breunig, Fauver, Kuncl, Hanson and Karloff. Voting no were none. Motion carried.

Motion by Breunig, seconded by Karloff to authorize the Public Works Director to advertise to for bids paving project on County Road E (Big Sandy Development), said bids to be opened and considered at 9:00 a.m., November 23, 2010. The County retains the right to reject any and all bids. Voting yes were Hanson, Karloff and Breunig. Voting no were Fauver and Kuncl. Motion carried.

Motion by Breunig, seconded by Hanson to authorize the Chair to sign the Hospital Licensure Renewal Applications for the Saunders Medical Center's Critical Access Hospital and Long-Term Care Hospital. Voting yes were Kuncl, Hanson, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Hanson, seconded by Kuncl to authorize the Chair to sign the Certification of Cost Allocation Plan for Fiscal Year Ended June 30, 2009 in accordance with requirements of OMB Circular A-87, "Cost Principles for State and Local Governments," and the Federal award(s) to which they apply. Voting yes were Hanson, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Breunig, seconded by Fauver to approve the minutes of the October 12<sup>th</sup> Board meeting. Voting yes were Karloff, Breunig, Fauver and Hanson. Voting no were none. Kuncl abstained. Motion carried.

Motion by Breunig, seconded by Fauver to convene as an Equalization Board at 9:35 a.m. Voting yes were Breunig, Fauver, Kuncl, Hanson and Karloff. Voting no were none. Motion carried.

**BOARD OF EQUALIZATION PROCEEDINGS**  
**October 19, 2010**

Pursuant to adjournment Sine Die, the Board met with Karloff, Breunig, Fauver, Kuncl and Hanson present. Lutton and Sukstorf were excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Vice Chairperson Hanson the meeting to order at 9:36 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Motion by Karloff, seconded by Fauver to authorize the mailing of (2) Change of Value Notices (see attached). Voting yes were Fauver, Kuncl, Hanson, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Breunig, seconded by Karloff to approve Tax Corrections #4736 thru #4741 (see attached). Voting yes were Kuncl, Hanson, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Fauver, seconded by Breunig to approve the minutes of the October 12<sup>th</sup> Board meeting. Voting yes were Hanson, Karloff, Breunig and Fauver. Voting no were none. Kuncl abstained. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Vice Chairperson Hanson declared the meeting adjourned Sine Die at 9:38 a.m.

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Motion by Breunig, seconded by Fauver to approve the Vendor Claims against the County for the month of October and hereby authorize the County Treasurer to issue a check to the Saunders County Imprest account for the full amount for all funds. Voting yes were Karloff, Breunig, Fauver, Kuncl and Hanson. Voting no were none. Motion carried.

Motion by Fauver, seconded by Breunig to open the Public Hearing at 9:45 a.m., regarding the consideration of permitting retail sale or dispensing of alcoholic liquor for consumption on the premises later than 1 a.m. and prior to 2 a.m. on any day. Voting yes were Breunig, Fauver, Kuncl, Hanson and Karloff. Voting no were none. Motion carried.

Motion by Breunig, seconded by Hanson to close the Public Hearing at 10:05 a.m. Voting yes were Fauver, Kuncl, Hanson, Karloff and Breunig. Voting no were none. Motion carried.

The Board the many pro's and con's pertaining to permitting retail sale or dispensing of alcoholic liquor for consumption on the premises later than 1 a.m. and prior to 2 a.m. on any day. They also received testimony from Jerry Johnson, Mayor of the City of Wahoo, to which is attached hereto.

Motion by Hanson, seconded by Breunig to disallow the retail sale or dispensing of alcoholic liquor for consumption on the premises later than 1 a.m. and prior to 2 a.m. on any day. Voting yes were Fauver, Hanson, Karloff and Breunig. Voting no was Kuncl. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 10:11 a.m.

**BOARD OF SUPERVISORS PROCEEDINGS**  
**October 26, 2010**

Pursuant to adjournment, the Board met with Breunig, Kuncl, Sukstorf, Hanson, Lutton and Karloff present. Fauver was excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was emailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairperson Karloff called the meeting to order at 9:00 a.m. and informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Motion by Sukstorf, seconded by Hanson to open the Public Hearing at 9:05 a.m. for the consideration of the One and Six Year Road Plan for Saunders County. Voting yes were Breunig, Kuncl, Sukstorf, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Kuncl, seconded by Hanson to approve the County's Payroll for the month of November and hereby authorize the County Treasurer to issue a check to the Saunders County Imprest Account for the full amount for all funds. Voting yes were Kuncl, Sukstorf, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Hanson, seconded by Breunig to approve the minutes of the October 19<sup>th</sup> Board meeting. Voting yes were Hanson, Karloff, Breunig and Kuncl. Voting no were none. Sukstorf and Lutton abstained. Motion carried.

Motion by Sukstorf, seconded by Hanson to accept the Fee Reports from the various County Officials for the month of September. Voting yes were Hanson, Lutton, Karloff, Breunig, Kuncl and Sukstorf. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Kuncl to authorize the County Sheriff to purchase Voice Logger Recording System for 911 Dispatch Center from DSS Corp., Southfield, MI, for the amount of \$22,190.00. Said purchase will be paid in the following manner: \$7,089.26 from the 911 Wireless Fund, with the balance of \$15,100.74 being paid for from the 911 Emergency Service Fund. Voting yes were Lutton, Karloff, Breunig, Kuncl, Sukstorf and Hanson. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Hanson to close the Public Hearing at 10:30 a.m. and adopt Resolution #33-2010 – adopting the County's One and Six Year Road Plan as presented. Voting yes were Karloff, Breunig, Kuncl, Sukstorf, Hanson and Lutton. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 10:32 a.m.